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July 24, 1995

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW -- Room 222  
Washington, DC 20554

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Dear Mr. Caton:

Please find enclosed five copies of Cushcraft Corporation's comments on RM-8648 and RM-8653.

Sincerely,

  
Glendon R. Whitehouse  
President

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )

)  
Allocation of Spectrum in the 5 GHz Band  
To Establish a Wireless Component of the  
National Information Infrastructure )

RM-8653

JUL 25 1995

FOC MAIL ROOM

In the Matter of )

)  
Petition for Rulemaking to Allocate the ) RM-8648  
5.1 - 5.35 GHz and Adopt Service Rules for )  
a Shared Unlicensed Personal Radio Network )

DOCKET FILE COPY ORIGINAL

To: The Acting Secretary

REPLY COMMENTS OF THE CUSHCRAFT CORPORATION

Cushcraft Corporation ("Cushcraft") hereby submits reply comments on the above-captioned petitions for rulemaking submitted Apple Computer, Inc. ("Apple") and the Wireless Information Network Forum ("WINForum"). Since both of the petitions address similar issues, Cushcraft is submitting a single set of reply comments.

Cushcraft is a major U.S. manufacturer of radio antennas used in the land mobile radio services, the Amateur Radio Service, and in unlicensed, Part 15 applications. Although it did not file initial comments on the petitions, Cushcraft has carefully reviewed many of the comments filed by others and now offer these reply comments.

As a manufacturer of antennas used with unlicensed, Part 15 devices, Cushcraft is well aware of the significance of the Commission's rules and regulations in this area. Indeed, the comments filed in this proceeding confirm Cushcraft's strongly held belief that the creation of the unlicensed, Part 15 market represents one of most successful policy initiatives ever undertaken by the Commission. As the Part 15 Coalition observed in their comments on the petitions "Today, this market is comprised of millions of devices, hundreds of applications, scores of different technologies, and countless hundreds of millions of dollars of investment." As the Part 15 Coalition also observed, the success of unlicensed Part 15 devices has far exceeded early expectations. Despite the fact that tens of millions of unlicensed devices are relied upon by ordinary consumers, businesses, and government agencies on a daily basis, that market place success is often overshadowed by greater publicity afforded licensed services such as cellular mobile radio. That relative lack of publicity should not be allowed to detract from the enormous success of the Commission's policies and rules toward unlicensed devices and operations. As many of the commenting parties also confirmed, the unlicensed devices and systems operating under the Part 15 rules are subject to numerous constraints and increasing congestion. Thus, the enormous growth in the Part 15 market has occurred in the face of significant handicaps.

The original petitioners and many of the commenting parties have urged the Commission to build upon this success to support the development of wireless platforms that can support the high speed computer-to-computer operations necessary for multimedia and other wideband data applications. In particular, they have urged the Commission to do so through (a) the allocation of additional spectrum in the 5 GHz band for unlicensed use and (b) adjustment of the Commission's rules governing unlicensed operations to better reflect the requirements of these advanced applications.

The original petitioners have quite persuasively set forth their vision of the role of unlicensed services in the development of the nation's information infrastructure quite persuasively

and there is no need for us to repeat that vision here. Rather, we will simply state that our experience in the Part 15 marketplace confirms that vision. Hence, given the enormous success of the existing unlicensed technologies in the face of significant constraints and reflecting the potential importance of unlicensed technologies and applications to the future of the nation's information infrastructure, Cushcraft believes is only prudent that the Commission embark upon the requested rulemaking proceeding.

As a manufacturer company that literally began in a garage and grew to become a significant producer of a wide range of antennas for both licensed and unlicensed applications, Cushcraft is also well aware of the importance of giving small businesses the opportunity to contribute their expertise and entrepreneurial spirit to the development of wireless communications and the radio art. Cushcraft is struck by the fact that existing developers and manufacturers of Part 15 devices, as well as parties submitting comments in this proceeding, range from very small, entrepreneurial operations (which is Cushcraft's heritage) to some of the largest companies in the telecommunications and computer fields. This is really no surprise, however, because one of the major advantages of the Commission's Part 15 rules is that they significantly reduce the barriers to entering the radio device and radio systems markets. Properly drawn rules governing the use of the spectrum that the petitioners are urging the Commission to allocate for unlicensed services can continue the benefits of low entry barriers. This will allow smaller businesses to contribute more fully to the development of the nation's infrastructure right beside their larger brethren.

Finally, as a manufacturer of antennas used in the Amateur Radio Service and as a company employing numerous amateur radio operators, Cushcraft is also aware of the crucial role that radio amateurs have played in protecting life and property and in advancing the radio art. Indeed, we see a degree of similarity in the traditional experimental role of amateur radio operators and in the opportunities that unlicensed devices and operations offer for individual entrepreneurs. Hence, Cushcraft urges the Commission to take into account current amateur radio allocations in the 5 GHz band as well as future spectrum requirements of the amateur service in the rulemaking proceeding.

In summary, having reviewed many of the comments filed on the subject petitions and having reflected upon those comments based upon its own experience as a supplier of antennas used in both licensed and unlicensed applications, Cushcraft urges the Commission to embark upon the requested rulemaking. In taking that action, Cushcraft urges the Commission to adopt policies and rules that will facilitate the participation of small businesses while taking into account the legitimate concerns of the Amateur Radio Service. By doing so, the Commission will be ensuring a logical continuation and expansion of its enormously success policies under Part 15.

Respectively submitted.



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President

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